

**Addendum
for the
Joint Task Force Six (JT-30-95)
Border Fence and Road Construction, and Road Repair
South of Tierra del Sol, San Diego County, California**

Dear Interested Party:

The document enclosed for your review and consideration is an addendum to a final Environmental Assessment for construction of border fence and access road along the international border in eastern San Diego County. The action proposed entails a portion only of segment D, as originally set forth in the final document: *Final Environmental Assessment — Border Road and Fence: Construction and Repair, Campo to Jacumba, San Diego County, California, JT041-94B/C/D/E/F/G, June 1994*. The Corps of Engineers (Corps), Los Angeles District, prepared this supplementary analysis.

The addendum addresses specific features of alignment and continuity of the fence and road, the bivouac site, the place where construction machinery will be staged and serviced, and the location of water necessary for construction. Corps staff ecologists and an archaeologist surveyed the fence and road alignment, the bivouac and staging areas, and site of construction water in January 1995. No listed species nor cultural resources of significance were indicated. Prior to construction military personnel would be briefed about sensitive biological resources. Minimal short-term environmental impacts to biological resources, air quality, water, noise, socioeconomics, and traffic are anticipated. No significant long-term environmental impacts are expected to occur.

Project construction is scheduled to begin in mid-March, 1995, and ought to be complete in mid-May, 1995. In the event of time delays, resource agencies and concerned individuals will be notified via telephone by Corps personnel. In the event of flooding or heavy rain, project construction will be delayed until conditions for the movement of machines and materials become suitable. If delays occur the mission would be accomplished by May, 1996.

Joint Task Force Six

DATE

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1. SUMMARY OF PROJECT

1.1 OVERVIEW

The Secretary of Defense established Joint Task Force Six (JTF-6) in November 1989 to coordinate all Title 10 Department of Defense support to Operation Alliance and Federal, state, and local law enforcement agencies in their efforts to disrupt illegal drug smuggling operations along the southwestern United States land border and to protect national security as requested by local authorities and approved by the Secretary of Defense. The U.S. Border Patrol uses the unpaved roads in eastern San Diego County along and near the U.S. — Mexico border daily to detect and prevent illegal entry of narcotics across the border. The U.S. Border Patrol requested JTF-6 to assist in the repair and construction of roadways and fencing.

The final Environmental Assessment (EA) for those proposed actions dealt with a lengthier section along the border separating the United States and Mexico, about 23½ miles between Tecate Peak on the west south of Canyon City eastward to the Imperial County line. This document is an addendum to that (EA). It identifies and evaluates environmental concerns associated with one component of that action, a portion of the distance specifically identified there as Segment D. This addendum has been prepared for JTF-6 by the U.S. Army Corps of Engineers (CoE), Los Angeles District.

The original Environmental Assessment addressed the needs for road improvement along the border and fencing to close the border against illegal activities, but not the actual timing of nor specific location of fence and road. At that time funds, personnel, and equipment were not available to accomplish all six segments of the project with a single effort. Furthermore, the precise alignment chosen for the fence and access road did not comprise the text of that document. Nor had a bivouac site, equipment staging area, or a source of water for use during construction been identified. Inception of work along a portion of segment D, planned for mid-March and not to include all of segment D, now necessitates this detailed addendum to that original EA.

Construction on this portion of the fence and road project will begin mid-March 1995. It is anticipated that approximately 3 miles of the international border will be fenced in a period of 8 weeks. Construction activity would be reduced or suspended during heavy rains or floods to reduce any potential adverse impacts to water quality. In that event, construction may be accomplished prior to 1996. CoE personnel would notify appropriate resource agencies and concerned individuals by telephone regarding any delays in project construction.

1.2 PROJECT LOCATION

Construction of this part of the border fence will occur east and south of Campo, in eastern San Diego County, California (Fig. 1). Military personnel will bivouac near the starting point of this fence on privately owned land about 1 mile north of the border (Fig. 1). Storage of equipment and construction supplies will be immediately north of the bivouac site, on the same ranch property.

1.3 SUMMARY OF IMPACTS

The final EA addressed both short- and long-term impacts arising from biological resources, cultural resources, water quality, land use, air quality, and more. Details of the part of that larger project set forth in this document do not differ from those of no significant impact.

2. NEED FOR PROPOSED ACTION

2.1 CONSTRUCTION OF FENCING

Since 1991, illegal drug seizures by the U.S. Border Patrol's Campo Station have increased markedly. During FY 1992 and FY 1993, the Campo Station seized more than \$125 million in illegal drugs, representing more than 50 percent of seizures (by value) for the U.S. Border Patrol's San Diego County Sector. By contrast, between FY 1989 and FY 1991 the Campo Station seized less than 8 percent (by value) of that sector's total (U.S. Border Patrol, 1994). These figures represent only that amount of illegal narcotics which were intercepted and may constitute only a small fraction of the total illegal drug traffic in this area. Construction of fencing along this comparatively flat segment of the international border will greatly facilitate apprehension of smugglers illegally carrying drugs into San Diego County. With improved border security west of this project area, from Tecate westward to San Ysidro, it is anticipated that illegal drug activity previously occurring there will shift to this border area and result in an increase in illegal drug trafficking in this area. Together with improved roads, solid fencing would increase greatly the effectiveness of the limited number of officers and vehicles that are available to patrol this segment of the border.

2.2 CONSTRUCTION OF ACCESS ROAD

Current conditions require excessive time to travel existing back-country roads. Many segments of these existing roads either cross watercourses which seasonally flood, unnecessarily ascend and descend steep slopes, or are constructed too narrowly or have acute turns which do not allow passage to larger vehicles. Access to some portions of the existing roads is denied by local private property owners. If emergencies occur, agents using these roads can be far removed from assistance.

3. DESCRIPTION OF PROPOSED ACTION

3.1 GEOGRAPHY AND TOPOGRAPHY

3.1.1 Span of the fence

Segment D was envisaged originally as a continuous length, of approximately 7 miles. The west terminus was to have been the eastern rim Smith Canyon (western half of Section 19, T. 18 S., R. 6 E.); on the east, segment D would have ended near the western foot of the Rattlesnake Mountains, near the line between Sections 17 and 18 (T. 18 S., R. 7 E.).

Table 1. Discontinuities of fence and realignment of access road from surveyed border offset. Locations are given as distance in feet east or west from Monument 236 (Section 24, T. 18 S., R. 6 E., Tierra del Sol quadrangle. That Monument stands on the border, 7659.25 feet west of the starting point.

| Seasonal streams | | | |
|-------------------|-----------------------------------|--|--|
| location | length of gap | stream flow direction | access road realignment |
| 7285 — 7185' east | 100 foot interruption of paneling | into Mexico | gradual bend 18 feet north then return, over 200 linear feet |
| 6235 — 6135' east | 100 feet | into Mexico | none planned |
| 3780 — 3110' east | 670 feet | meanders from Mexico, to U. S., back to Mexico | gradual bend 36 feet north then return, over 275 linear feet |
| 2910 — 2410' east | 500 feet | meanders from Mexico, to U. S., back to Mexico | gradual bend 36 feet north then return, over 350 linear feet |
| Boulder outcrops | | | |
| location | length of gap | access road realignment | |
| 5730 — 5660' east | 70 feet | gradual bend 33 feet north then return, over 130 linear feet | |
| 3090 — 3140' west | 50 feet | none planned | |
| 6630 — 6965' west | 335 feet | none planned | |

Funding limitations, availability of military personnel and time constraints make it necessary now to complete less than the full length of Segment D. As surveyed in October 1994 by the 505th Engineering Battalion, construction of this portion will start from the east, in the middle of Section 18 (T. 18 S, R. 7 E, Tierra del Sol quadrangle) and move westward approximately three miles to the surveyed line between Sections 21 and 22. Any fraction of the original 7 mile segment not completed during this phase of construction will fall within the purview of a subsequent addendum to the final EA.

Planned alignment of the fence will follow very closely the international border between the United States and Mexico. The fence will nominally be 2 feet to the north. That fence consists of steel panels welded to steel pilings. Pilings will be made from 4 inch diameter, 3/8 inch thickness drilling pipe. Construction of the fence necessitates an access road adjacent to it. Average width of the access road will be 24 feet, will not exceed 28 feet in any location, and will only reach that width in a few scattered locations.

At irregular distances along this span, the fence will deviate from the nominal alignment to avoid large oaks which took root very close to the border. Some natural features dictate interruptions of the fence at irregular intervals. Outcroppings of large granodiorite boulders on the alignment will force interruptions. So, also, will three places where small seasonal streams cross or meander along the border. Table 1 summarizes the location of these fence interruptions.

3.1.2 Span of the access road.

Erection of the fence necessitates an access road for construction machinery. Nominally, that road will lie immediately north of the fence and be 24 feet wide. In some places along the alignment, that road will follow the footprint of existing jeep trails. In other sections, the road will be created de novo by grading through extant chaparral communities. In a very few places, this road may reach 28 feet in width for a short distance. Construction of the access road will require grading of 8.73 acres.

Natural features which deflect the fence from its nominal alignment will also cause, in some cases, small realignments of the access road. Table 1 summarizes these jogs.

3.1.3 Washes and intermittent streams.

Four separate drainages cross the proposed alignment: three of which originate in the United States and flow south into Mexico, while one arises in Mexico and meanders four times across the international border before turning back into Mexico ultimately. Each is very small, isolated, and seasonally intermittent, dry most of the year but a rivulet during winter and early spring, carrying an average annual volume probably much less than 5 ft³/sec. The Environmental Design Section has coordinated this project with the Corps Regulatory Branch, San Diego Field Office. Since each separate drainage will affect between 0.02 and 0.08 acres, and all four stream bed crossings amount to less than 0.25 acre total, in their determination the plan satisfies all criteria for a regulatory permit, Nationwide Permit 26: Headwaters and Isolated Waters Discharges (33 CFR §330.26).

Each crossing, numbered from the eastern most, will be treated differently as described below. Merely as a geographic reference for specifying each location, their distance east or west from Monument 236 (Section 24, T. 18 S, R. 6 E, Tierra del Sol quadrangle) will be given.

First drainage (7285 to 7185 feet east of Monument 236). This small wash carries water into Mexico. Its main channel lies against the east bank of the wash, is about 40 feet wide, and the wash itself is slightly less than 100 feet from bank to bank. At this crossing, a concrete sill 5' deep, 2' wide, and extending 50' from the east bank will be installed. Its surface will lie below the natural sandy bottom of the wash. The line of pilings will continue along this sill, every four feet. Pilings will cross the entire wash, but be set in augered holes past the end of the sill. No paneling will intrude across this wash: it will halt atop the east bank and resume 100 feet away on the west bank. The access road must slope down the east bank, cross 40 feet of sandy bottom, then slope up the west bank. In total, as much as 80 linear feet of intermittent stream channel will be influenced during construction. The road and sill will be 26 feet wide. Hence, the total impact at the first drainage will amount to 2080 ft², 0.05 acre.

Second drainage (6235 to 6135 feet east of Monument 236). Drainage from a small water shed and two catchment basins in the United States overflow down this channel into Mexico. It has steep sided banks, is about 100 feet from bank to bank, and its channel is about 60 feet wide. Neither pilings nor paneling will be erected across this wash. Instead, a temporary barricade to vehicles will be created here by placing large boulders across the bottom. Gaps between the boulders half the boulders' width will allow the seasonal trickling flow characteristic of this stream without impounding it or creating erosion of banks next to the boulders. This will serve temporarily until such time, perhaps two or three years hence, as a crossing at this point more suitable to the local hydrology and contours of the wash can be devised. All appropriate resource agencies would be apprised then of further plans. The boulders and access road together will be approximately 36 feet in width here, spanning roughly 100 feet of intermittent stream channel. Total impact at the second drainage will amount to 3600 ft², 0.08 acre.

Third drainage (3460 to 3160 feet east of Monument 236). The USGS map does not delineate this small stream, because it meanders into the United States from Mexico, then returns to Mexico. In fact, it wanders into the U. S. at four separate places in an east to west line, but never comes more than 50 feet north of the border. The fence will not span any of these four cross-border meanders. The access road will skirt them all except the second from the eastern end. There, existing jeep trails will be improved within the existing footprint where they already cross two sides of a loop formed as a meander. Each crossing is about 15 feet wide and banks here slope gently down to the stream bottom. With a generous allowance for that slope each of these crossings would impact no more than 30 linear feet of stream channel. The area involved at these crossings equal 720 ft², 0.02 acre, respectively, and 0.04 acre total.

Fourth drainage (6350 to 6550 feet west of Monument 236). An intermittent stream approaches the border southward from the United States, but does not cross in a recognizable channel. Water appears to subside into the soils at the upper end of a small meadow, at present used as permanent pasture for livestock. Large oaks (*Quercus agrifolia*) flourish in the area and indicate that very little surface water passes over the border at this point. Although the fence will cross the pasture, the access road will skirt it to the north and stay on existing dirt roads. Thus, no impacts to waters of the United States are anticipated at this portion of the project.

3.2 BATTALION SUPPORT, BIVOUAC, EQUIPMENT AND STAGING, CONSTRUCTION CONCERNS, AND CONSTRUCTION SCHEDULE

3.2.1 Bivouac Site

All military personnel participating in construction along segment D, from the 105th Engineering Group, North Carolina Army National Guard, will bivouac on privately-owned ranch land located approximately 1 mile north of the international boundary and 9 miles east of Campo (Fig. 1). This bivouac area would be self-contained with tents, a hot kitchen, private well water carried through an existing system of pipes, and portable toilet facilities. Grey water produced at the bivouac would be captured in troughs, loaded into tankers, and carried to water treatment facilities located in Morena Village, about 11 miles to the northeast. Personnel would be transported from the bivouac site to construction sites in vans on existing roads. The bivouac site cannot be seen except from the ranch.

3.2.2 Fencing Equipment and Storage

Most equipment needed to install the fence would be shipped by rail to facilities at the U. S. Marine Training Base, Camp Pendleton, California, then off-loaded transported by truck to the project area. Some would be rented from local vendors in the San Diego area. Necessary equipment would include forklifts, wheeled cranes, earth augers, rick drills, stake bed trucks, arc welders, cement mixers, and dump trucks. Landing mats are scheduled to arrive at the Campo Border Patrol equipment yard beginning in March 1995. Individual strips will be welded into full panels there, then trucked to the border site, there to be welded to the steel pilings. The equipment yard will be located on the same ranch property, immediately north of the bivouac area. The equipment staging area will occupy a small part of a former orchard, now disused and considerably disturbed. Most concrete for legs of the fence and the sill at the first wash will be purchased as wet, mixed aggregate from local vendors.

3.2.3 Access Road Equipment and Storage

Most equipment needed for access road construction would be transported to San Diego by train and then to the project area by low-bed truck. Some additional equipment would be rented in the San Diego area. Necessary equipment would include scrapers, bulldozers, compactors, water distribution trucks, auger trucks, backhoes, excavators, vibrator rollers, road graders, and flat bed trucks. The equipment yard will be the same as that used for fence equipment.

3.2.4 Construction Standards

Construction water would be taken from one of two nearly adjacent sources. An artisan well located on private property (Fig. 2) can supply up to 80,000 gallons per day. Should that well falter as the rainy season ends, or otherwise prove inadequate, water clean enough for construction needs can be drawn from a catchment basin 300 yards to the west. Water from either source would be trucked to the equipment yard in 6,000-gallon capacity water trucks, four trips per day at the most in hot dry weather and fewer than that if damp. From the equipment yard, water construction would be delivered to construction sites in 500-gallon capacity water trucks. Maintenance and refueling of equipment would occur at equipment storage areas. Storage, handling, and disposal of petroleum, oil, lubricants, and other chemical products at these sites would be performed in accordance with applicable regulations. Disposal of waste products would occur offsite at licensed facilities.

Machinery to be used along this portion of segment D will not differ in type from that brought in for

segments B and C, finished under the terms of the final EA. No permit for air quality concerns was required to complete that work and none is necessary for this addendum.

3.2.5 Construction Schedule

Groups of National Guard personnel, on average 150 people each, will arrive beginning 18 March 1995. Each group will stay on site 2 weeks, then be replaced by another. Work will commence at the eastern end of segment D and progress westward. Approximately 4 miles of fence will be erected and all construction battalion personnel would depart by approximately 20 May 1995. If shortage of personnel, equipment, funding, or adverse weather during the time scheduled delay construction, the project could be accomplished by May 1996.

4. ALTERNATIVES

The final EA addressed all reasonable alternative plans for entire length of border fence and road. Alternatives to this portion of segment D do not differ from those.

5. ENVIRONMENTAL SETTING

5.1 BIOLOGICAL RESOURCES

Three very small, seasonally intermittent streams reveal the lay of the land along this part of segment D. Each wash runs toward the southwest, and elevations fall slightly from about 3100' on the east to about 2950' on the west. Isolated ridges and exposed granitic intrusions make the land irregular and rolling, but no steep canyons or mountain slopes occur in this tract. For the most part, soils are shallow and rocky. Three plant communities occur in a mosaic pattern along alignment. Two are rather dense chaparrals, one where chamise (*Adenostoma fasciculatum*) predominates, and the other where redshanks (*A. sparsifolium*) grows very thickly. Large, mature oaks (*Quercus agrifolium*) grow throughout the area, and in some places constitute open, oak woodlands as a canopy with a distinct understory where buckwheat (*Eriogonum fasciculatum*), great basin sagebrush (*Artemisia tridentata*), California sagebrush (*A. californica*), and rabbitbrush (*Ericamaria* sp.) grow in mixed assemblages. Large, shrubby manzanita (*Arctostaphylos* sp.) grows irregularly along the border.

The areas designated as bivouac and equipment staging both lie in a small, shallow valley, and are nearly adjacent to each other. A rocky, low ridge intrudes from the east and pinches the valley narrower in the middle. Personnel will bivouac south of this ridge, equipment gathered north of it. Each area is nearly flat, has been planted as an orchard in the past and still show evidence of soil disturbance. Widely scattered buckwheat plants, rabbitbrush, and great basin sagebrush grow around the edge of former cultivation. One small patch of Mormon tea (*Ephedra* sp.) has taken root in the eastern side of the equipment area. Three cottonwoods (*Populus trichocarpa*) grow at the southern edge of the bivouac site while an oak woodland delimits the southern and western side.

No streams or watercourses pass through the area to be used as bivouac or equipment staging.

Water for construction will be drawn from a catchment basin or piped directly from an artesian well. Both are located on private property in a grassy cienega used as permanent pasture. Those water sources are 5 miles north and a mile west of the center of this part of segment D.

5.2 CULTURAL RESOURCES

A field survey of the areas of potential effects (APE) was conducted by the Corps of Engineers staff in January 1995. No historic or prehistoric resources were found. The remains of an old cabin were found close to APE at the southern edge of the bivouac site. This feature is, however, located outside the APE.

5.3 AIR QUALITY

Characteristics of air quality in rural, eastern San Diego County were described in the final EA. No physical features, industrial activities, agricultural land use, or other point sources of air pollutants exist in this portion of segment D that would create localized air quality conditions significantly different from the regional conditions described in that document.

5.4 LAND USE

Alignment of the fence and access road lies entirely within a 60 foot strip owned by the Federal Government. A barbed wire fence strung between metal posts delimits the north edge of that property and deters livestock from crossing the border. Aside from jeep roads used primarily by the U. S. Border Patrol to drive along the border, no development of any kind exists within this strip. No public land administered by the Bureau of Land Management lies within the proposed alignment, and no roads leading to the border in this area cross land administered by BLM.

In the vicinity of Border Monument 236 a small settlement, approximately 25 occupied dwellings, exists. Smaller monuments placed between Border Monuments 236 and 237 may be slightly off line, but not by more than a few inches. Judging from them no dwellings in Mexico partially transgress the international border. Barbed wire fences built by some residents here and farther west to confine their livestock do cross the border and will be in the alignment of the U. S. Border Patrol fence. Those residents do not have authorized use of land in the United States for grazing or other agricultural purpose.

Land to be used for bivouac and equipment staging is part of a privately owned ranch. This property lies in the northwest quarter section of Section 18, (T. 18 S, R. 7 E, Tierra del Sol quadrangle).

Water trucked to the site for use in construction and dust abatement will come from a stocktank or artesian well, both located on private property. A small dirt road on that ranch leads to both sources and will not require any improvement sustain the tank truck traffic, estimated to be 2 to 4 trips per day.

In summary, no changes of land use patterns have occurred since the final EA was written. The regional description therein still pertains.

5.5 AESTHETICS

The rural, expansive appearance of this region of San Diego County was addressed in the final EA. While scenic and attractive for its own merits, neither this portion of segment D nor the bivouac and staging areas contain unique natural or manmade features whose visual appeal differs significantly from that described by the regional aesthetic environment.

5.6 NOISE

Sources of noise within the region of Campo and the border fence were addressed in the final EA. No changes of features or activity in the region of segment D have occurred since which would lead to significant differences from the regional noise environment described therein.

5.7 SOCIOECONOMICS

As decried in the final EA, principal ways of life here center around ranching and agriculture. No changes that would alter this characterization have occurred in the region. Illegal smuggling of contraband across the border also evidently adds to the economic milieu, and has increased in monetary importance in recent years.

5.8 TRANSPORTATION

Unpaved roads and tracks form an irregular nexus within an ill-defined tract north of the border. Some lie within the 60 foot easement, many immediately to the north of it, and several apparently lead away from the border to unknown places north of it. U. S. Border Patrol drives many of these roads routinely in carrying out its mission. They serve a recreational use to a limited extent, and facilitate ranching in the area. They also form convenient backways for the movement of illegal contraband, although the U. S. Border Patrol has means of detecting such illicit use.

A dirt road south and east from the bivouac provides direct access to the start of the fence project. None lead conveniently to the central parts of the alignment. Dirt roads near the western end would provide more reasonable access from that side.

A paved road close to the water sources runs south through the small community of Tierra del Sol to a large dirt road heading east into the ranch property where bivouac and staging areas are located.

5.9 PUBLIC HEALTH AND SAFETY

The final EA addressed the absence of hazardous or toxic substances stored or disposed of in this region. No changes of features or activity in the region of segment D have occurred since which would lead to concerns over public health and safety.

6. ENVIRONMENTAL CONSEQUENCES

6.1 BIOLOGICAL RESOURCES

6.1.1 Impacts to Endangered and Threatened Species

Neither construction of the border fence and access road, prudent activity of construction personnel on site or at the bivouac area, nor shipment of water to the site nor grey water from it is expected to affect adversely the continued existence of any species inhabiting this area and listed by the U.S. Fish and Wildlife Service as endangered, threatened, or proposed endangered. By telephone agreement on 9 March 1995 with the U.S. Fish and Wildlife Service, their compendium of species of concern for the region around Campo is equivalent to that for this part of segment D. Seven taxa comprise this group. Table 2 summarizes their status in the assessment of Fish and Wildlife Service biologists. A discussion of the potential impacts to these species which may occur in the project area is included in the following paragraphs.

They recognize two species of amphibians: arroyo southwestern toad and red legged frog. The arroyo southwestern toad, endangered, is a small, light greenish gray or tan toad historically associated with the drainages between San Luis Obispo and San Diego Counties. Its habitat of preference is rivers with shallow, gravelly pools adjacent to sandy terraces in association with cottonwoods, oaks, or willows (Department of the Interior, 1993a). Its current range is limited to the headwaters of Los Padres, Angeles, San Bernardino and Cleveland National Forests. The project area is not within the defined current range and contains no permanent streams with attendant habitat; therefore, its presence appears unlikely. None were seen during any field survey by CoE ecologists. The red legged frog is a small amphibian historically found from the vicinity of Point Reyes National Seashore to Baja California. Its current range is limited to in the vicinity of the Santa Clara River in Ventura County (Department of Interior, 1993b). The red-legged frog is associated with deep water pools with dense stands of willows and cattails. Lacustrine habitat of this type does not exist in this region of San Diego County and its presence here is very unlikely.

Five avian species that may occur in the project area are listed as endangered or threatened. Peregrine falcons may be casual visitors to the project area, foraging occasionally, and possibly roosting briefly. However, no sheer, rocky escarpments where they could nest occur along this portion of segment D. Peregrine falcons normally winter in the vicinity of wetlands and coastal areas where food supply is available; these conditions are absent from the project area. All peregrine falcons are considered infrequent visitors to this area (Peterson, 1990). Bald eagles might be transient migrants over this portion of the border, but their nesting and roosting sites are usually associated with reservoirs and lakes (Steinhart, 1990), of which none exist near the D border segment, the bivouac and staging area, or the water sources. It would be exceedingly unlikely for this species to forage in this dry, rocky chaparral community.

Least Bell's vireo, a federally listed endangered species, is a small, migratory songbird which prefers streamside thickets of willow and wild rose in riparian woodlands with a dense shrub layer between 0.6 and 3 meters above the ground. It occurs in southern California and northern Baja California. Major populations occur in the Santa Margarita River, Sweetwater River, San Luis Rey River, San Diego River, Prado Basin-Santa Ana River, and the Santa Ynez River at Gibraltar Reservoir (Franzreb, 1989). Preferred habitat of the southwestern willow flycatcher, also a migratory species and imminently to be recognized as endangered, does occur in Southern California and is very similar to that of Least Bell's vireo: densely wooded riparian areas with streamside associations of

Table 2. Federal threatened, endangered, proposed, and candidate taxa known from or anticipated to occur in the vicinity of segment D of the border fence project, San Diego County, California.

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Status *</u> |
|--------------------------------------|---|-----------------|
| LISTED SPECIES — Amphibians | | |
| Arroyo southwestern toad | <i>Bufo microscaphus californicus</i> | E |
| Birds | | |
| Peregrine falcon | <i>Falco peregrinus</i> | E |
| Bald eagle | <i>Haliaeetus leucocephalus</i> | E |
| Least Bell's vireo | <i>Vireo belli pusillus</i> | E |
| coastal California gnatcatcher | <i>Polioptila californica californica</i> | T |
| Southwestern willow flycatcher | <i>Empidonax traillii extimus</i> | E |
| PROPOSED SPECIES — Amphibians | | |
| California red legged frog | <i>Rana aurora draytoni</i> | PE |

* Federal designations: T — threatened; E — endangered; PE — proposed for listing as endangered.

cottonwood, willows, and other riparian vegetation (Department of Interior, 1992). Neither species would occur in this area except as transient because no permanent streams, riparian community, nor willows occur anywhere along this portion of the border.

Unlike the two previous species, the California gnatcatcher does not migrate seasonally from southern California. While its status was the subject of equivocation in the early 1990's, it is now definitively listed as endangered throughout its known range (Department of Interior, 1993c). The coastal California gnatcatcher has a strong preference for the distinctive coastal scrub sage biotic community. Where that vegetation forms dense, low growing stands dominated particularly by California sagebrush, dense patches of buckwheat, and lemonadeberry (*Rhus integrifolia*) gnatcatchers feed and nest successfully. That assemblage of plants does not occur along the fence and road alignment, nor at the bivouac or equipment staging areas. During a day-long field survey in late January 1995, none were heard calling nor were any birds seen in any of these areas.

In summary, field surveys of the general fence and road alignment by a qualified CoE ecologist between February to April 1994, and again in January 1995 by other CoE ecologists of the specific route, the bivouac and equipment areas, and the meadow from which construction water would be drawn, disclosed no endangered species in the area of the fence and access road, or bivouac and equipment staging sites. This project would have no impact to any of these species since none inhabit the area.

6.1.2 Impact to Plant Communities

Nominal width of the swath for border fence and access should be less than 26 feet, allowing 2 feet for the fence itself. Hence, construction of this portion of segment D necessitates impacts to about 9½ acres total. Of that, about 8¾ arise from the road work. This portion will traverse some relatively undisturbed chaparral. It also covers ground previously disturbed by existing jeep trails along the border, presence of a small settlement, agriculture and grazing from the Mexican side of the border, and considerable trash in several places. Not more than half the alignment for this part remains undisturbed.

Thus, impacts will occur to approximately 4¾ acres of chaparral. This vegetation is widespread in the immediate area, so removal and disposal of this amount would create no long-term effect on vegetation outside the alignment. Compaction of the road may cause short-term physiological damage to root systems of plants growing just beyond the verge, and abrasion by machinery will damage foliage to some extent. Neither of these brief effects would persist more than one annual cycle.

Where oaks grow close to the nominal alignment, the border fence and access road will jog further in U. S. property by enough distance to avoid them. Because of this flexibility, no long-term impacts to mature oaks would be expected.

The bivouac and staging sites have no undisturbed vegetation in the principal, open spaces. No impact to plant communities would be expected.

The sources of water for construction both exist in a grassy meadow long in use for grazing and permanent pasture. No impact to this community of annual and some perennial grasses would be expected.

The proposed project would not result in significant impacts to any biological resources.

6.2 WASHES AND INTERMITTENT STREAMS

Four separate drainages cross the proposed alignment: three of which originate in the United States and flow south into Mexico, while one arises in Mexico and meanders four times across the international border before turning back into Mexico ultimately. Each is very small, isolated, and seasonally intermittent, dry most of the year but a rivulet during winter and early spring, carrying an average annual volume probably much less than 5 ft³/sec.

Construction activities necessary for this portion of segment D will be of very brief duration, 8 weeks as planned. Since work will commence nearly at the end of the winter rainy season, little short-term impact to water quality would be expected.

Where the fence and, or access road cross these small washes, no culverts will be installed. A concrete sill placed below the level of the stream bed at the first of these washes will not impound winter runoff nor divert it against opposite banks to cause their erosion. When finished, the small, hard-packed road across each wash will create no long-term adverse effects on surface water quality or topography of the banks. Construction of fence and road over this portion of segment D is not expected to cause deterioration of any natural drainages, their flow patterns, or the quality of surface and subsurface water in this vicinity.

The Environmental Design Section has coordinated this project with the Corps Regulatory Branch, San Diego Field Office. Since each separate drainage will affect between 0.02 and 0.08 acres, and all four stream bed crossings amount to less than 0.25 acre total, in their determination the plan satisfies all criteria for a regulatory permit, Nationwide Permit 26: Headwaters and Isolated Waters Discharges (33 CFR §330.26).

6.3 CULTURAL RESOURCES

As no historic or prehistoric sites are located within the APE, none would be impacted by the proposed project changes.

6.4 AIR QUALITY

Regional air quality would not be affected by either short-term project construction or long-term project implementation. The amount of dust and other particulates released during construction would be kept to minimum levels by regular watering of dust-generating sites. Increased dust levels that may be created during the construction period would be short-term, minor, and located away from population centers. This impact is considered insignificant. Equipment currently designated for project construction does not require permitting. Once construction is completed, vehicular traffic use on new or upgraded roads is not expected to exceed vehicular traffic use that would occur without new or upgraded roads.

The proposed project would not result in significant impacts to air quality.

6.5 LAND USE

Construction of the border fence southwest of Tierra del Sol, near Boundary Monument 236, would affect residents of El Aguaje del Nat. (in Baja California) who currently reside near the international border and use without authorization the federally owned land in the easement between the international border and the fence 60 feet north of it for cattle grazing. As a result of fence construction, access to the federally owned land south of the agricultural fence would be eliminated and, therefore, the unauthorized use of that land for cattle grazing would be discontinued. Some fences, unauthorized, extend across the international border and would be removed for construction of the border fence. No dwellings straddle the border.

No alteration to the ranch property where military personnel will bivouac would be expected to occur during this project.

Extraction of water for construction and dust abatement from the second private property would cause no change in land use at this ranch.

The proposed project would not result in significant land use impacts.

6.6 AESTHETICS

Potential short-term impacts to aesthetics during the construction phase of the project would include disruption to isolated appeal of the area. Once completed, road repair or realignment would have a minimal long-term impact to aesthetics given the number of existing unpaved roads in the area. Completion of the new border fence, however, would have the greatest impact on the area's aesthetics. For a length of about 1½ miles, beginning approximately 2000 feet east of Border Monument 236, the new fence would be 10 feet high, about equal the height of predominant chaparral vegetation in the area. The fence still would be visible in clearings between vegetation stands from both sides of the international boundary.

6.7 NOISE

Noise impacts would be greater over the short-term during the construction phases when equipment is in use. Since very few sensitive receptors occupy the region of segment D and since these impacts would be temporary, these affects are not considered significant. No long-term impacts to the noise environment are expected.

The proposed project would not result in significant impacts to noise sources.

6.8 SOCIOECONOMICS

During the 8 weeks construction of this part segment D should last, military personnel would be billeted in a camp on private land near the east end of the border fence. Although this camp is intended to be self-contained, they may satisfy some daily needs in Campo, about 10 miles to the west, thus creating a short-term economic impact on the area. Most construction equipment already

is publicly owned, however additional equipment may be rented in the San Diego area creating short-term economic opportunities there.

Upon completion of road repair and construction, the effectiveness of U.S. Border Patrol agents would be increased; and at completion of fence construction, traffic of illegal narcotics would be reduced. Together, these two beneficial long-term impacts of the project would improve the quality of life for residents throughout the region.

The proposed project would not result in significant socioeconomic impacts.

6.9 TRANSPORTATION

Prior to construction, equipment would be hauled to staging area by road from San Diego. I-8, SR 94, Buckman Springs Road, and Old US Highway 80 would be the likely routes used. Required permits for any oversized or overweight loads would need to be obtained from the California Department of Transportation. During construction of this segment of the project, equipment and personnel would be transported from staging and bivouac areas to construction sites on existing roads. Although movement of equipment and personnel may create some short-term traffic congestion, these impacts would be temporary and not considered significant. No long-term adverse impacts to area transportation are expected.

The proposed project would not result in significant transportation impacts.

6.10 PUBLIC HEALTH AND SAFETY

Some hazardous and toxic materials likely would be used during the course of project construction, including fuels, oils, paint, and other chemical products. To minimize any short-term impacts related to these materials, maintenance and refueling of equipment would occur at equipment storage areas. Storage, handling, and disposal of petroleum, oil, lubricants, and other chemical products at this site would be performed in accordance with applicable regulations. Disposal of waste products would occur offsite at licensed facilities. No long-term impacts related to hazardous and toxic materials or waste is anticipated.

Panels which compose the fence are welded to steel pipe. If welding takes place near dried grasses or other vegetation, sparks and molten metal could pose a fire hazard.

The proposed project would not result in significant impacts to public health and safety.

7. COORDINATION

Representatives of several agencies have been apprised of construction plans for border fence and access road along this portion of segment D: U.S. Border Patrol, International Boundary and Water Commission, U.S. Soil Conservation Service, U.S. Bureau of Land Management, U.S. Fish and Wildlife Service, Regional Water Quality Control Board-San Diego, and San Diego County Air Pollution Control District.

On 24 February 1995, in a telephone conversation with Mr. Brian Kelley **California Regional Water Quality Control Board, San Diego (RWQCBSD)**, he stated the proposed project appears suitable for a waiver of 401 Water Quality Certification. Mr. Greg Peter (also **RWQCBSD**) will also peruse the project description.

The acreage of grading and soil disturbance would require a Stormwater Pollution Prevention Plan for construction activities. The Corps will notify the **State Water Resources Board** of its intent to file for the associated permits as would be required. Since the proposed project calls for no discharge of waste into or disturbance of surface or groundwater, no additional concerns are held by RWQCBSD. However, if during the course of project construction illegal disposal sites of hazardous materials or unexpected sites of contaminated soils are discovered, RWQCBSD would need to be notified to assess any required cleanup procedures.

Mr. Alan Foraker, Patrol-Agent-in-Charge for **U.S. Border Patrol**, Campo Station, during field visits and telephone conversations in January 1995 has explained the necessity for the proposed project and statistics on illegal narcotics trafficking through the project area as well as logistics for proposed construction, equipment staging and bivouac sites, and water sources for construction of this part of segment JT041-94D.

Mr. Foraker coordinated with Mr. Butch Campbell of the **California Department of Forestry** to determine requirements for removing, collecting, and storing vegetation from the project area to be disposed as per phone conversation of 27 February 1995. Mr. Campbell agreed to provide guidance and supervision to the National Guard personnel. Slash will be stockpiled in appropriate locations until weather conditions permits its eventual burning.

In telephone conversation of with Mr. Foraker on 8 March 1995, he indicated his desire and willingness to instruct National Guard personnel in the recognition of the native oaks, and to see that none are damaged by heavy equipment.

In a telephone conversation on 31 March 1994 with Howard Mueller of the **Soil Conservation Service**, Escondido Field Office, he reported that although some prime farmland soils (Reiff fine sandy loam and Indio silt loam) are found in the project area, construction of the proposed fence and access roads and upgrade of existing roads should have no adverse effect on the region's soils given the undeveloped nature of the region and the linear aspects of the construction proposals.

A telephone conversation on 8 March 1995 with Mr. Carl Bryant, of the 105th Engineering Group, **North Carolina Army National Guard**, Winston-Salem, North Carolina confirmed locations of the bivouac site, equipment staging area, and construction water sources; personnel strength for construction; and type, sources, and delivery of construction equipment to be used for construction of the JT041-94D segment of the proposed project.

Mr. Milton Blankenship, Environmental Protection Specialist with **Joint Task Force Six** informed the **International Boundary and Water Commission** in El Paso of washes where existing drainage patterns across the international boundary will be preserved, fence alignment, and details of its construction at Border Monument 236.

A letter requesting a list of endangered, threatened, and candidate species was requested from the **U.S. Fish and Wildlife Service** on January 18, 1995. In lieu of a reply to that specific request, Ms. Shawn Granberry agreed during a telephone conversation on 9 March 1995 that a recent list of species furnished

to the Corps for an unrelated project in the vicinity would suffice.

Coordination involving the four intermittent streams to be negotiated by access road took place by telephone with Elizabeth White, **Regulatory Branch of U. S. Army Corps of Engineers, San Diego Field Office** on February 23, 1995. She concluded that the action proposed for this portion of segment D qualifies for Nationwide Permit No. 26 (33 CFR §330.6[26]) because each wash is isolated, intermittent, flows at less than 5 ft³/sec for most of the brief period when they carry any water at all, and the total impact will be less than 0.25 acres.

The Corps coordinated the original project with the **State Office of Historic Preservation**. By letter dated 27 June 1994 they concurred that no impacts to historic properties would occur. Similarly, minor changes in alignment necessary for construction for this portion of segment D would not affect historic properties and Corps intends to apprise the State Office of Historic Preservation of this determination.

9. COMMITMENTS

Commitments to minimize environmental impacts attendant with this project were stated in the final EA, and each will be observed during construction of this portion of segment D.

- 9.1 Before construction begins, JTF-6 will inform IBWC of the approximate starting date for construction, type of equipment to be used, and the number of personnel involved.
- 9.2 Prior to construction, CoE staff will submit applications for waiver of water quality certification. Before that waiver has been issued, no work will take place in the waters of the United States.
- 9.3 A qualified biologist familiar with the final EA, and commitments and mitigations therein, will be present at critical times during the project: mobilization of personnel and equipment, while work occurs in environmentally sensitive areas, and demobilization. That specialist will instruct commanding officers and personnel in recognition of sensitive resources, and ways to avoid or minimize impacts to them.
- 9.4 A qualified archaeologist will flag all sensitive areas, and monitor those sites to preclude damage to them during construction. Should construction activities expose buried cultural resources, the archeological monitor will halt all work in progress and ensure compliance with provisions of 36 CFR 800.11 — Properties discovered during implementation of an undertaking.
- 9.5 Where mature oak trees (*Quercus agrifolia*) grow by chance within a few feet of the international border, those individuals will be marked conspicuously. Alignment of both fence and access road will jog slightly north so as to skirt the dripline of the tree.
- 9.6 Any large manzanita cut or uprooted during construction will be set aside for salvage by artisans. The remaining large, shrubby vegetation, primarily chamise and redshanks, will be reduced in volume initially, then burned eventually as a way to return those nutrients to the soil. Burning will be conducted in a manner and time acceptable to the California Department of Forestry.
- 9.7 Existing unpaved roads and jeep trails which parallel the fence will be widened and repaired to

afford access to the fence. Those improvements, and any necessary creation of roadway, will be confined within a footprint not wider than 24 feet.

- 9.8 The proposed project will not disturb or alter existing courses of temporary streams and flow rates.
- 9.9 Welding equipment used in the areas for assembly of panels and fence erection constitute a fire hazard. Prudent caution against fires will be expected at all times. Suitable equipment to suppress fires will be readily available in these areas.
- 9.10 Construction sites will be wetted regularly to minimize blowing dust and particulate matter. Water used thus will come from a local, clean source.
- 9.11 Clean materials will be used to construct all structures. No polluted silts or contaminated material will be placed in washes. Any construction debris will be removed before completion of the project.
- 9.12 During construction any oil, grease, containers, or other debris will be removed and disposed of properly.
- 9.13 Gray water will be stored on site in tanks. A contractor will transport and dispose of it in an approved manner.
- 9.14 Large debris found in the alignment corridor but not originating from this construction will be gathered. U. S. Border Patrol will arrange its disposal in a suitable manner. Hazardous wastes thus encountered will not be collected during the project.

10. AUTHORS AND REVIEWERS

10.1 Authors. U.S. Army Corps of Engineers, Los Angeles District.

Mr. Steve Dibble, Senior Archeologist
Dr. John E. Moeur, Ecologist

10.2 Reviewers. U.S. Army Corps of Engineers, Los Angeles District.

Dr. Richard J. Schubel, Chief, Environmental Design Section
Ms. Joy Jaiswal, Environmental Protection Specialist

10.3 Technical Reviewers. Joint Task Force Six Staff.

LTC. DeHarde, Staff Engineer
Mr. Milton Blankenship, Environmental Protection Specialist

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APPENDIX A

**SECTION 404(b)(1) WATER QUALITY EVALUATION
(CLEAN WATER ACT)**

Prepared By:

United States Army Corps of Engineers

Los Angeles District

Los Angeles, California

March 1995

**THE EVALUATION OF THE EFFECTS
OF THE DISCHARGE OF DREDGED OR FILL MATERIAL
INTO THE WATERS OF THE UNITED STATES
(Section 404 Evaluation)**

JTF-6

SOUTH OF TIERRA DEL SOL, SAN DIEGO COUNTY, CALIFORNIA

I. INTRODUCTION. The following evaluation is provided in accordance with Section 404 (b)(1) of the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500) as amended by the Clean Water Act of 1977 (Public Law 95-217). Its intent is to succinctly state and evaluate information regarding the effects of discharge of dredged or fill material into the waters of the United States. As such, it is not meant to stand alone and relies heavily upon information provided in the environmental document to which it is attached. Citation in brackets [] refer to expanded discussion found in the addendum to the final Environmental Assessment (EA), to which the reader should refer for details.

II. PROJECT DESCRIPTION.

A. Location [1.2]: The project is located east and south of Campo, in eastern San Diego County, California, along the U.S. and Mexico border (See EA Map 1).

B. General Description [3.0]: The final EA identified this segment of the larger fence and road project as segment D. This addendum treats only a portion of segment D, beginning from the east end and progressing west for approximately 3 miles. This project entails construction of border fence and an access road immediately adjacent to it. Four intermittent, small streams, dry throughout the year except in the winter rainy season, traverse the border and will be crossed during this construction [3.1.3]. The fence will be 5 feet high for about half the distance of this project, 10 feet high in the rest. The access road will be 24 feet wide and will cross three separate washes.

Construction of this smaller length of segment D would occur between mid-March and mid-May, 1995. The schedule for this project could be affected by funding availability, weather conditions, and availability of construction personnel. Construction activity would be reduced or suspended during heavy rains or floods to reduce any potential adverse impacts to water quality. COE personnel would notify appropriate resource agencies and concerned individuals by telephone regarding any delays in project construction.

C. Authority and Purpose [1.1]: The Secretary of Defense established Joint Task Force Six (JTF-6) on 13 November 1989. The purpose of Joint Task Force Six (JTF-6) is to provide the U.S.

Border Patrol, and other concerned agencies, with improved access to the border areas to spot and interdict illegal drug trafficking.

D. Description of the Proposed Discharge Sites [3.1.3]: The proposed discharge sites are located south of Tierra del Sol. Three ephemeral streams have created washes and small gullies across the international border. Little, if any, discharge of materials or debris will take place at each wash. No culverts will be installed at any wash. At each of the three washes, only the minimal grading necessary to create the access road or improve existing jeep trails that already cross the wash will take place.

E. Description of Disposal Method: Any materials needing disposal will be utilized in the grading and filling of the nearby roadway during construction. Specific information detailing proposed discharge site for segments JT041-94D through G have not been refined; however, reuse of discharge materials would be performed for these segments.

III. FACTUAL DETERMINATIONS.

A. Disposal Site Physical Substrate Determinations:

1. Substrate Elevation and Slope: The project is located in the fairly rugged terrain of eastern San Diego County. The area is rather mountainous where elevations range between 3,100 and about 2,900 feet above mean sea level.

2. Sediment type: During construction, sand, dirt particles, or native rock may fall from construction materials. Therefore, sediment will be compatible with the material found in the walls of the streams.

3. Dredged/Fill Material Movement: All materials to be utilized on this road (stones, sand or gravel) will be obtained from the road surface itself. In the event of heavy rains, construction would be postponed until the project areas were suitable for machines and materials. Any silt or debris that might fall into any of the streams will be removed and used for nearby road repairs.

4. Physical Effects on Benthos: Not applicable to the proposed project.

5. Other effects:

Impact: X N/A Insignif. Signif.

6. Action Taken to Minimize Impacts:

Needed: X Yes No

Effect on Water Circulation, Fluctuation, and Salinity Determinations:

A. Effect on Water [6.2]. The following potential impacts were considered:

| | |
|-------------------------------|--|
| a. Salinity | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| b. Water Chemistry (pH, etc.) | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| c. Clarity | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| d. Color | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| e. Odor | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| f. Taste | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| g. Dissolved gas levels | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| h. Nutrients | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| i. Eutrophication | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |
| j. Others | ___ N/A ___ <u>X</u> ___ INSIGNIF. ___ SIGNIF. |

B. Effect on Current Patterns and Circulation. The potential of discharge or fill on the following conditions were evaluated:

| | |
|-----------------------------|--|
| 1. Current Pattern and Flow | ___ N/A ___ <u>X</u> ___ INSIGN. ___ SIGN. |
| 2. Velocity | ___ N/A ___ <u>X</u> ___ INSIGN. ___ SIGN. |
| 3. Stratification | ___ N/A ___ <u>X</u> ___ INSIGN. ___ SIGN. |
| 4. Hydrology Regime | ___ N/A ___ <u>X</u> ___ INSIGN. ___ SIGN. |

C. Effect on Normal Water Level Fluctuations: The potential effect of discharge or fill on tide and river stages is **not applicable** to this project.

IV. Suspended Particulate/Turbidity Determinations at the Disposal Site.

Construction of the border fence and access road for this portion of segment D will occur after rains begin to taper off for the season. Channels will be dry for most of this period (precipitation is less than 2 to 3 inches per month at this time of year). In the event of heavy rains/flooding construction would be stopped until conditions are suitable for personnel and machines.

A. Expected Change in Suspended Particulate and Turbidity levels in Vicinity of Disposal Site: These impacts are considered insignificant because they will be distributed over a relatively small area and will be short term in duration.

Impact: ___ N/A ___ X ___ INSIGNIF. ___ SIGNIF.

B. Effects (degree and duration) on Chemical and Physical Properties of the Water Column.

| | |
|------------------------------|--|
| a. Light Penetration | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| b. Dissolved Oxygen | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| c. Toxic Metals & Organic | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| d. Pathogen | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| e. Esthetics | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| f. Others | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |

D. Effects of Turbidity on Biota: These impacts are considered insignificant because streams within the project area are dry most of the time, involve a relatively small area and will be short term in duration.

| | |
|------------------------------|--|
| a. Primary Productivity | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| b. Suspension/Filter Feeders | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |
| c. Sight feeders | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |

E. Actions taken to minimize impacts: In case of a flood occurrence, the project construction will be postponed until the streams areas are suitable for personnel and machines.

V. Contaminant Determination

No chemical or biological impacts are expected at the disposal site.

VI. Effect on Aquatic Ecosystem and Organism Determinations:

A. The Following ecosystem effects were evaluated [6.2]:

The proposed construction and repair of the roads would have no significant effect on aquatic organisms, special aquatic sites, or threatened and endangered species.

| | |
|----------------|--|
| 1. On Plankton | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 2. On Benthos | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 3. On Nekton | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 4. Food Web | <u> </u> N/A <u> X </u> INSIGNIF. <u> </u> SIGNIF. |

Sensitive Habitats:

| | |
|------------------------------------|--|
| 1. Sanctuaries, refuges | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 2. Wetlands | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 3. Mudflats | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 4. Eelgrass beds | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 5. Riffle and Pool Complexes | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 6. Threatened & Endangered Species | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |
| 7. Other Wildlife (grunion, trout) | <u> X </u> N/A <u> </u> INSIGNIF. <u> </u> SIGNIF. |

Actions to Minimize Impacts: None required.

VII. Proposed Disposal Site Determinations: Is the mixing zone for the disposal site confined to the smallest practicable Zone?

Yes. Repair activities will be limited to the present road imprint and the adjoining several feet of surface, not to exceed 30 feet.

VIII. Determination of Cumulative Effects of Disposal or Fill on the Aquatic Ecosystem: No such cumulative impacts are anticipated as a result of proposed project.

Impacts: ____ N/A X INSIGNIF. ____ SIGNIF.

IX. Determination of Indirect Effects of Disposal or Fill on the Aquatic Ecosystem:

Impacts: ____ N/A X INSIGNIF. ____ SIGNIF.

X. FINDING OF COMPLIANCE.

A review of the proposed project indicates that:

A. The discharge represents the least environmentally damaging practicable alternative and if in a special aquatic site, the activity associated with the discharge must have direct access or proximity to, or be located in the aquatic ecosystem to fulfill its basic purpose.

X YES ____ NO

B. The activity does not appear to: 1) violate applicable state water quality standards or effluent standards prohibited under Section 307 of the CWA; 2) jeopardize the existence of Federally listed endangered or threatened species or their habitat; and 3) violate requirements of any Federally designated marine sanctuary.

X YES ____ NO

C. The activity will not cause or contribute to significant degradation of waters of the U.S. including adverse effects on human health, life stages of organisms dependent on the aquatic ecosystem, ecosystem diversity, productivity and stability, and recreational, aesthetic, and economic values;

X YES ____ NO

D. Appropriate and practicable steps have been taken to minimize potential adverse impacts of the discharge on the aquatic ecosystem.

X YES ____ NO

On the Basis of the Guidelines, the Proposed Disposal Site(s) for the Discharge of Dredged or Fill Material (specify which) is (select one):

- ☐ (1) Specified as complying with the requirements of these guidelines; or,
- ☒ (2) Specified as complying with the requirements of these guidelines, with the inclusion of appropriate and practical conditions to minimize pollution or adverse effects on the aquatic ecosystem; or,
- ☐ (3) Specified as failing to comply with the requirements of these guidelines.

APPENDIX B

LETTERS OF COORDINATION



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
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2730 Loker Avenue West
Carlsbad, California 92008

February 16, 1995

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P.O. Box 2711
Los Angeles, CA 90053

Attn: Mr. Alex Watt

Re: Request for Candidate, Proposed, Threatened, or Endangered Species
for Campo Border Patrol Station, Campo, San Diego County, California
(1-6-95-SP-113)

Dear Mr. Joe:

This letter is in response to request made February 8, 1995, for information on potential species of concern within the proposed project area. We are providing a list of endangered, threatened, and candidate species which may be present within the area of the project within the jurisdiction of the Carlsbad Field Office. The enclosed list of species partially fulfills the requirements of the Fish and Wildlife Service (Service) under Section 7(c) of the Endangered Species Act of 1973, as amended (Act).

Section 7(a)(2) of the Act requires a Federal Agency, in consultation with, and with the assistance of the Service, insure that any action it authorizes, funds, or carries out, is not likely to jeopardize the continued existence of any listed species or results in the destruction or adverse modification of critical habitat. To meet this requirement, Biological Assessments are required under section 7(c) of the Act if listed species or critical habitat may be present in the area affected by any major construction activity¹. Federal agencies have the responsibility to prepare a Biological Assessment if your proposed action is a major construction activity that requires the preparation of an Environmental Impact Statement. If a Biological Assessment is not required, your agency still has the responsibility to review its proposed activities and determine whether the listed species will be affected. Moreover, "action" means all activities or programs of any kind authorized, funded, or carried

¹ "Construction Activity" means any Federal action which significantly affects the quality of the human environment designed primarily to result in the building or erection of man-made structures such as dams, buildings, roads, pipelines, channels, and the like. This includes Federal actions such as permits, grants, licenses, or other forms of Federal authorizations or approvals which may result in construction.

out, in whole or in part, by Federal agencies. In addition, "action area" means all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action.

Section 7(d) of the Act prohibits Federal agencies and applicants from making any irreversible or irretrievable commitment of resources which has the effect of foreclosing the formulation or implementation of reasonable and prudent alternatives which would avoid jeopardizing the continued existence of listed species or resulting in the destruction of critical habitat.

During the assessment or review process, the agencies may engage in planning efforts, but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(a) of the Act. If a listed species may be adversely affected, agencies should request, in writing through our office, formal consultation pursuant to section 7 of the Act. Informal consultation should be used to exchange information and resolve conflicts with respect to listed species prior to a written request for formal consultation.

A Federal agency is required to confer with the Service when the agency determines that its action is likely to jeopardize the continued existence of any proposed species or result in the destruction or adverse modification of proposed critical habitat. Conferences are informal discussions between the Service and the Federal agency, designed to identify and resolve potential conflicts between an action and proposed species or proposed critical habitat at an early point in the decision making process. The Service makes recommendations, if any, on ways to minimize or avoid adverse effects of the action. These recommendations are advisory because the jeopardy prohibition of section 7(a)(2) does not apply until the species is listed or the proposed critical habitat designated, and the Federal agency determines whether or not formal consultation is required. The conference process fills the need to alert Federal agencies of possible steps that an agency might take at an early stage to adjust its actions to avoid jeopardizing a proposed species.

Candidate species are included for the purpose of notifying a project proponent in advance of possible proposals and listings which at some time in the future may have to be considered in your planning activities. If early evaluation of a project indicates that it is likely to adversely impact a candidate species, we recommend that the Federal agency seek technical assistance from this office in an effort to avoid or reduce impacts to such species.

We want to closely coordinate with the Federal agency and applicant during the preparation of the Biological Assessment. Our goal would be to provide technical assistance that identifies specific features that could be incorporated into the project to avoid adverse impacts to listed species.

Should you have any questions regarding the species listed or your responsibilities under the Act, please contact Shawnetta Grandberry at (619) 431-9440.

Sincerely,



Gail C. Kobetich
Field Supervisor

for

Enclosure

Listed Endangered, Threatened
and Candidate Species that May Occur in the
Area of the Campo Border Patrol Station,
Campo, San Diego County, California (1-6-95-SP-113)

| Common Name | Scientific Name | Status |
|--------------------------------|--|--------|
| <u>Listed Species</u> | | |
| <u>AMPHIBIANS</u> | | |
| Southwestern Arroyo toad | <u>Bufo microscaphus californicus</u> | E |
| <u>BIRDS</u> | | |
| Bald eagle | <u>Haliaeetus leucocephalus</u> | E |
| least Bell's vireo | <u>Vireo bellii pusillus</u> | E |
| Peregrine falcon | <u>Falco peregrinus</u> | E |
| coastal California gnatcatcher | <u>Polioptila californica californica</u> | T |
| <u>Proposed Species</u> | | |
| <u>AMPHIBIANS</u> | | |
| California red-legged frog | <u>Rana aurora draytoni</u> | PE |
| <u>BIRDS</u> | | |
| Southwestern willow flycatcher | <u>Empidonax traillii extimus</u> | PE |
| <u>Candidate Species</u> | | |
| <u>BIRDS</u> | | |
| Ashy rufous-crowned sparrow | <u>Aimophila ruficeps canescens</u> | C2 |
| California spotted owl | <u>Strix occidentalis occidentalis</u> | C2 |
| Ferruginous hawk | <u>Buteo regalis</u> | C2 |
| Large-billed savannah sparrow | <u>Passerculus sandwichensis rostratus</u> | C2 |
| Reddish egret | <u>Egretta rufescens</u> | C2 |
| Tricolored blackbird | <u>Agelaius tricolor</u> | C2 |

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Status</u> |
|-------------------------------------|---|---------------|
| Western least bittern | <u>Ixobrychus exilis hesperis</u> | C2 |
| White-faced ibis | <u>Plegadis chihi</u> | C2 |
| Western burrowing owl | <u>Athene cunicularia hypogaeae</u> | C2 |
| California horned lark | <u>Eremophila alpestris actia</u> | C3c |
| Long-billed curlew | <u>Numenius americanus</u> | C3c |
| <u>INSECTS</u> | | |
| Harbison's dun skipper | <u>Euphyes vestris harbisoni</u> | C2 |
| Hermes copper butterfly | <u>Lycaena hermes</u> | C2 |
| <u>MAMMALS</u> | | |
| California leaf-nosed bat | <u>Macrotus californicus</u> | C2 |
| Dulzura California pocket mouse | <u>Perognathus [chaetodipus] californicus femoralis</u> | C2 |
| Greater western mastiff-bat | <u>Eumops perotis californicus</u> | C2 |
| Jacumba Pocket Mouse | <u>Perognathus longimembris internationalis</u> | C2 |
| Mexican long-tongued bat | <u>Choenycteris mexicana</u> | C2 |
| Northwestern San Diego pocket mouse | <u>Perognathus [-chaetodipus] fallax fallax</u> | C2 |
| Occult little brown bat | <u>Myotis lucifugus occultus</u> | C2 |
| San Diego black-tailed jackrabbit | <u>Lepus californicus bennettii</u> | C2 |
| Spotted bat | <u>Euderma maculatum</u> | C2 |
| <u>REPTILES</u> | | |
| Coastal rosy boa | <u>Lichanura trivirgata rosafusca</u> | C2 |
| Coastal western whiptail | <u>Cnemidophorus tigris multiscutatus</u> | C2 |

| <u>Common Name</u> | <u>Scientific Name</u> | <u>Status</u> |
|--------------------------|---|---------------|
| San Diego horned lizard | <u>Phrynosoma coronatum blainevillei</u> | C2 |
| San Diego ringneck snake | <u>Diadophis punctatus similis</u> | C2 |
| Southwestern pond turtle | <u>Clemmys marmorata pallida</u> | C2 |
| <u>PLANTS</u> | | |
| Dean's milk-vetch | <u>Astragalus deanei</u> | C2 |
| Jacumba milk-vetch | <u>Astragalus douglasii</u> var. <u>perstrictus</u> | C2 |
| Orcutt's brodiaea | <u>Brodiaea orcuttii</u> | C2 |
| Payson's jewelflower | <u>Caulanthus simulans</u> | C2 |
| Palmer's grappling-hook | <u>Harpagonella palmeri</u> var. <u>palmeri</u> | C2 |
| Tecate tarplant | <u>Hemizonia floribunda</u> | C2 |
| Moreno currant | <u>Ribes canthariforme</u> | C2 |
| Gander's butterweed | <u>Senecio ganderi</u> | C2 |
| San Diego sunflower | <u>Hulsea californica</u> | C3c |

E: Endangered

T: Threatened

PE: Proposed Endangered

PT: Proposed Threatened

C1: Category "1" candidate for listing; taxa for which the Service has substantial information to support listing as threatened or endangered.

C2: Category "2" candidate for listing; taxa that may warrant listing but for which substantial information to support a proposed rule is lacking.

C3: Taxa that are not currently being considered for listing as threatened or endangered:

(3a): taxa for which the Service has persuasive evidence of extinction. However, any such taxon is certain to get high priority for listing if rediscovered.

(3b): taxa that currently do not meet the Act's definition of "species". Any such taxon could be reevaluated in the future

as a result of subsequent research.

(3c): taxa that apparently more common than previously thought and thus not under current consideration for listing as threatened or endangered.

OFFICE OF HISTORIC PRESERVATION

DEPARTMENT OF PARKS AND RECREATION

P.O. BOX 942896

SACRAMENTO 94296-0001

(916) 653-6624

FAX: (916) 653-9824



June 27, 1994

Reply to: COE940609A

Robert S. Joe
Chief, Planning Division
U.S. Army Corps of Engineers
Los Angeles District
LOS ANGELES CA 90053-2325

Subject: Border Road and Fence Projects, Campo to Jacumba, San
Diego, County

Dear Mr. Joe:

In accordance with 36 CFR 800, regulations implementing Section 106 of the National Historic Preservation Act (NHPA), you have requested my review of the documentation noted above. Thank you for consulting me.

The Corps of Engineers' (COE) undertaking proposes the following activities: limited repairs and improvements to existing roads; construction of new road segments; installation of new fencing; and installation of culverts along approximately 28 miles of the California and Mexico borders. No historic properties were identified within the Area of Potential Effects (APE) by COE archaeological staff. Consequently, I do not object to your determination that there are no historic properties within the APE. While it is seldom possible to guarantee that all cultural resources have been discovered during a survey, your inventory methods appear consistent with the Secretary of the Interior's Standards for Identification and I am satisfied that the requirements and recommendations of 36 CFR 800.4 (a and b) were fulfilled.

Accordingly, you have satisfied your agency's identification responsibilities pursuant to Section 106 of the National Historic Preservation Act. Be advised, however, that the COE may have additional responsibilities under 36 CFR 800 during any of the following circumstances:

- 1) If any person requests that the Advisory Council on Historic Preservation (ACHP) review your findings in accordance with 36 CFR 800.6(e);
- 2) if a specific undertaking changes in ways that could affect historic properties in an unanticipated manner [36 CFR 800.5(c)];

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- 3) if previously undocumented properties are discovered during the implementation of a yet to be determined undertaking or if a known historic property will be affected in an unanticipated manner [36 CFR 800.11];
- 4) if a property that was to be avoided has been inadvertently or otherwise affected [36 CFR 800.4(c), and 800.5];
- 5) if any condition of an undertaking, such as a delay in implementation or implementation in phases over time, may justify reconsideration of the current National Register status of properties within an undertakings Area of Potential Effect [36 CFR 800.4(c)].

Thank you for considering historic properties during project planning. If you have any questions, please call staff archaeologist Steven Grantham at (916) 653-8920.

Sincerely,

A handwritten signature in dark ink, appearing to read "Cheryl E. Widell", is written over the typed name.

Ms. Cheryl E. Widell
State Historic Preservation Officer

Fig. 1. Project Location (Tierra del Sol, 7½' USGS quadrangle).

Border Fence and Access Road:

Bivouac site:

Equipment Staging area:

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Border Fence and Access Road:



Bivouac site:



Equipment Staging area:

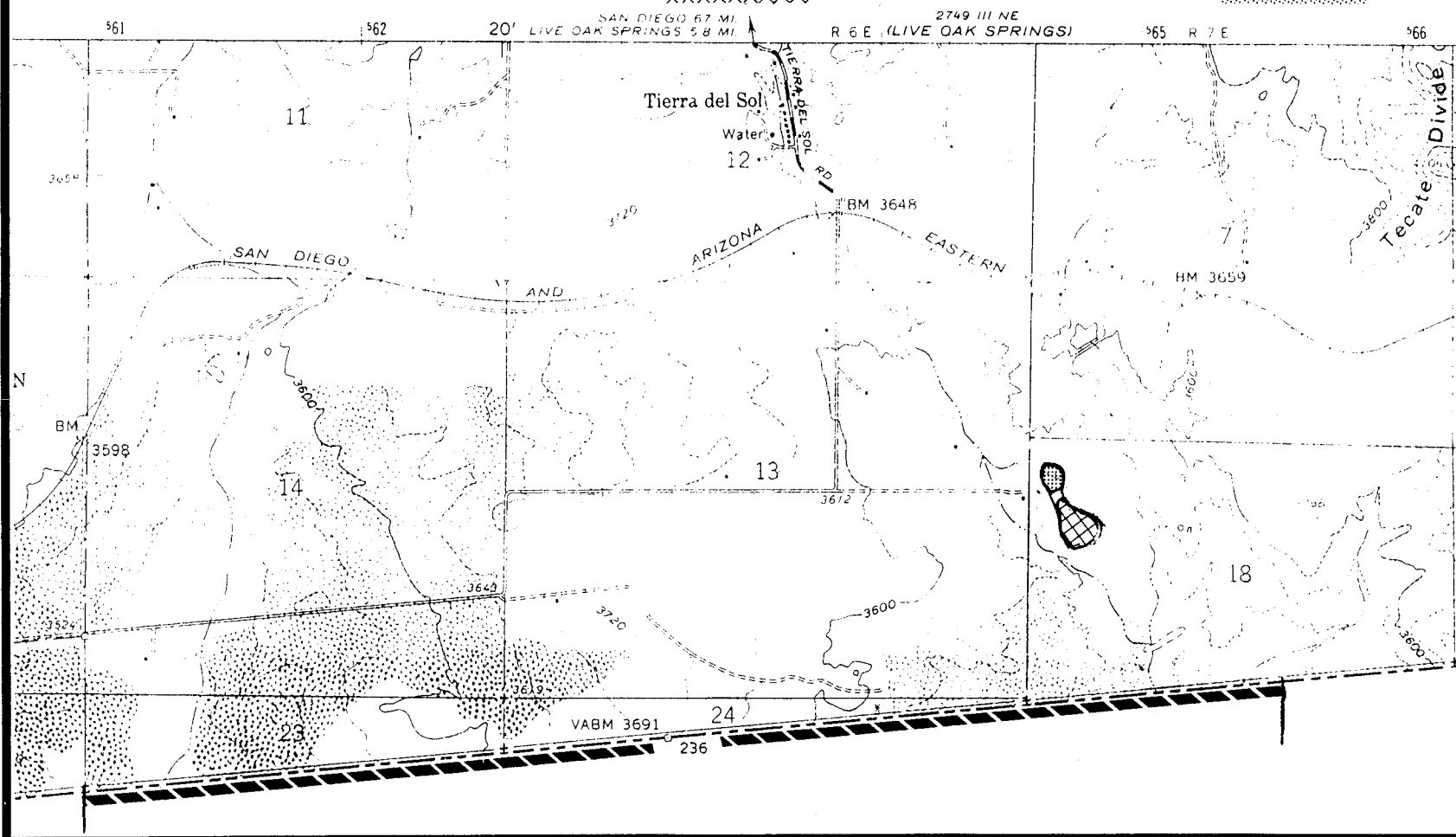


Fig. 2. Water sources for construction needs (Live Oak Canyon, 7½' USGS quadrangle).

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